

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZACKARY ELLIS SANDERS,

Defendant.

Case No. 1:20-cr-00143

The Honorable Judge Ellis

Next Hearing Date: Sept. 11, 2020

**DEFENDANT’S MOTION FOR LEAVE TO FILE MOTION TO SUPPRESS IN EXCESS  
OF THIRTY PAGE LIMIT UNDER LOCAL RULE 47(F)(3)**

Zackary Ellis Sanders, by and through undersigned counsel, respectfully submits this Motion for Leave to File Motion to Suppress in Excess of Thirty Page Limit Under Local Rule 47(F)(3). In support, the defense submits the following:

As demonstrated by the extensive briefing and oral argument on Mr. Sanders’s Motion to Compel in this case, *see* ECF Nos. 38, 43, 48, 57, 58, 65, 70, the issues presented in this case involve significant but inter-related factual and technical issues concerning the search warrant that Mr. Sanders challenges in his Motion to Suppress. Those issues include, among other things, technical information about the Tor network, the nature, purpose, and accessibility of that network, and law enforcement investigative techniques of Tor users. Some of these issues were introduced in the litigation of the Motion to Compel but must be addressed in further depth in the Motion to Suppress, while numerous issues have not previously been presented to the Court.

Mr. Sanders’s Motion to Suppress, not including attachments, exceeds thirty pages. While the defense has sought to streamline the Motion to Suppress, due to the numerous issues presented by the complex factual and technical background of the case, the Motion to Suppress

as drafted is in excess of the thirty pages allowed under Local Criminal Rule 47(F)(3). While there are several distinct sections of the motion (which in turn reflect distinct arguments for suppression) that could be broken down into separate motions, for the sake of convenience the defense believes they should all be presented in a single document. Therefore, the defense respectfully requests this Court allow the defense to file its Motion to Suppress in excess of the thirty page limit.

The defense believes that the Government will suffer no prejudice by the Court granting this motion. The Government has stated that it will defer to the Court on this motion.

### **CONCLUSION**

Based on the foregoing, the defense respectfully requests that this Court grant leave for the defense to file a Motion to Suppress in excess of the thirty pages allowed under Local Criminal Rule 47(F)(3).

Respectfully submitted,

/s/ Jonathan Jeffress

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*Counsel for Defendant Zackary Ellis Sanders*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of August, 2020, the foregoing was served electronically on the counsel of record through the U.S. District Court for the Eastern District of Virginia Electronic Document Filing System (ECF) and the document is available on the ECF system.

/s/ Emily Voshell  
Emily Voshell

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**[PROPOSED] ORDER**

This matter having come before the Court on the Motion for Leave to File Motion to Suppress in Excess of Thirty Page Limit Under Local Rule 47(F)(3). Accordingly, for good cause shown, the Motion for Leave to File Motion to Suppress in Excess of Thirty Page Limit Under Local Rule 47(F)(3) is GRANTED.

It is so ORDERED.

\_\_\_\_\_  
UNITED STATES DISTRICT COURT JUDGE

Date: \_\_\_\_\_

Alexandria, Virginia